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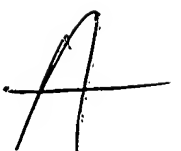
Claims 2 and 8 were rejected under 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. With reference to claim 2, the claim has been amended to provide correct antecedent basis, such that the phrase "the at least part of the side of the disc" in claim 2, line 3 (as amended) refers back to claim 1, lines 4-5. Therefore, it is clear that the protective layer is formed on the side of the disc which receives the disc cover. Claim 8 has been amended to replace "can be" with "is" to clarify the scope of the claim. In view of the above, it is respectfully requested that the rejections under 35 USC 112 be withdrawn.

Applicants claim a disc cartridge and a disc drive using the disc cartridge, the disc cartridge including: a disc having a recording layer for recording/reproducing information, a disc cover for covering at least part of one side of the disc, and connecting means for connecting the disc and the disc cover, wherein a side of the disc opposite to the side covered by the disc cover is exposed externally.

As shown in FIGS. 1(a) and 1(b) of the application, disc cover 2 covers only one side of the disc 1 (i.e., the lower side in FIG. 1(a)), such that the opposite side of the disc is exposed externally (see side facing up in FIGS. 1(a) and 1(b)). According to this arrangement, it is possible to provide a disc cartridge and disc drive of reduced thickness as compared to a conventional cartridge which has a cover on both sides of the disc (as discussed on page 4, second full paragraph and pages 20-22).

A disc drive according to the Applicants' invention performs a recording/reproducing operation by separating the disc 1 and disc cover 2 and inserting a recording/reproducing head 11 therebetween (see FIGS. 4(a) to 4(d)), or where a shutter 30 is opened to expose the disc 1 (see, e.g., FIG. 13(b)) for receiving the head.

Claims 1, 3, 4, 9, and 16-20 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,548,571 to Mistretta. Claims 2 and 10-15 were rejected under 35 USC 103(a) as being unpatentable over Mistretta in view of U.S. Patent



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5,202,880 to Lee et al. (hereinafter "Lee"). Claims 5 and 6 were rejected under 35 USC 103(a) as being unpatentable over Mistretta in view of U.S. Patent 4,677,516 to Iizuka et al. (hereinafter "Iizuka"). Claims 21, 22, 24, and 26 were rejected under 35 USC 103(a) as being unpatentable over Mistretta in view of U.S. Patent 5,537,281 to Ma et al. (hereinafter "Ma"). These rejections are respectfully traversed, and for convenience are addressed together.

Mistretta fails to teach or suggest a disc cartridge having a disc cover for covering one side of the disc, but where the opposite side of the disc is exposed externally. In FIGS. 1 and 2 of Mistretta, as cited in the Office Action, there is disclosed a data storage disk assembly in which a disk 6 and a disk carrier 8 including frame 12 are contained "in a box-like 'caddy' which totally surrounds the carrier and prevents any inadvertent contact with the disk" (column 1, lines 24-27).

*read on applicant's plain language*  
*not in the claims*

However, the planar frame 12 of Mistretta is not equivalent to the Applicants' claimed "disc cover". In Mistretta, the disk carrier 8, along with spring-loaded latches 14 and a disk-edge support 16, secures the disk 6 within an aperture 13. As shown in FIG. 2, the latches 14 and disk-edge support 16 provide support at selected points around the edges of the disk 6; they do not cover at least part of one side of the disc, as required in claim 1.

*it does*

As discussed in Mistretta, the disk 6 and disk carrier 8 are contained in a disk caddy 10, where the disk caddy 10 totally surrounds the disk 6 and disk carrier 8. The disk caddy 10 is inserted into a disk-utilization device 2 for recording/reproduction (see column 1, lines 24-31). Therefore, the disk 6 and disk carrier 8 must be inserted into the disk caddy 10 before they can be inserted into the disk-utilization device 2.

Accordingly, the caddy 10 of Mistretta covers both sides of the disk, similar to conventional disc covers, as described in the Applicants' specification. Mistretta fails to teach or suggest a disc cartridge where a side "opposite to the side of the disc covered by the disc cover" is exposed externally. Because Mistretta requires use of the disk

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caddy 10, the thickness of the disk cartridge is increased, and it is impossible to realize the advantages of Applicants' invention in which one side of the disc is exposed externally to reduce the thickness of an associated disc drive.

Moreover, even if the disk frame 12 of Mistretta is somehow considered a "disc cover", the disk frame 12 does not cover one side of the disk 6 while leaving the opposite side exposed externally. In Mistretta, the aperture 13 is larger than the size of the disk 6 (see column 1, lines 50-51), such that when the disk 6 is fit into the disk frame 12, both sides of the disk 6 are exposed.

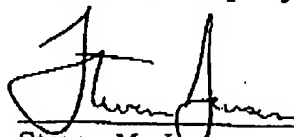
Therefore, the claims should now be in condition for immediate allowance. However, if there are any outstanding issues, the Examiner is urged to call the undersigned at the phone number listed below.

The Applicants believe that additional fees are not required for consideration of the within Amendment. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,  
EDWARDS & ANGELL, LLP  
Dike Bronstein Roberts & Cushman  
Intellectual Property Group

Date: October 29, 2002

By:

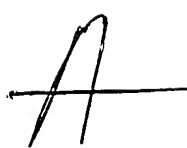
  
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APPENDIX A:  
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

The paragraph on page 22, last line to page 23, line 7 should be amended as follows:

Next, a disc drive for recording/reproducing with respect to the disc cartridge is explained. Figures 4(a) through 4(d) are explanatory views illustrating how the disc drive records/reproduces with [resect] ~~respect~~ to the disc cartridge. The disc drive, as shown in Figure 4(a), is provided with a base section 8, a spindle motor 9, a chucking 10, the head 11, an actuator 12 and a head arm 13.

IN THE CLAIMS

Claims 2 and 8 have been amended as follows:

2. (Amended) The disc cartridge as set forth in Claim 1, wherein the disc includes a disc substrate, the recording layer, and a protective layer, which is transparent, in this order, wherein the at least [a] part of [a] ~~the~~ side of the disc, on which the protective layer is formed, is covered by the disc cover so that the side of the disc on which the protective layer is formed is subjected to light projected thereon, so as to record/reproduce information.

8. (Amended) The disc cartridge as set forth in Claim 1, wherein the disc has a disc projected section in an inner circumference part thereof, the disc projected section being projected toward the disc cover and having a recessed section on a side wall thereof, and the disc cover having a projecting section, so that the projecting section [can be] is inserted in or pulled out with respect to the recessed section.